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SCOTT P MCBRIDE  
MCANDREWS HELD & MALLOY LTD  
34TH FLOOR  
500 W MADISON STREET  
CHICAGO, IL 60661

EXAMINER
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STEELMAN, MARY J

ART UNIT	PAPER NUMBER
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2122

DATE MAILED: 11/21/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/472,290

Applicant(s)

PATEL ET AL.

Examiner

Mary J. Steelman

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on 23 September 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. Claims 1 and 11 are amended. Claims 1-20 are pending.
2. The prior Office Action, paper #8, dated 01/23/2003, is hereby withdrawn.

#### *Claim Rejections - 35 USC § 103*

- 3.. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1-4, 11-13, 19 & 20** are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,178,225 to Zur et al, in view of U. S. Patent 6,094,531 to Allison et al.

#### **Regarding claim 1:**

Zur teaches a system for management of multiple imaging services within a networked system (Zur, Fig. 1) which could be part of a (Zur, col. 4, line 38) Picture Archiving and Communication System (PACS). The imaging facility has (Zur, col. 4, lines 53-54) "internet connectivity...via a network connection." where signals are communicated between the service center (server) and the metering systems, SYS1-N, (plurality of clients). Zur teaches "establishing a network connection with a web-based server" (Fig. 1 and col. 2, line 51.)

Zur fails to teach "periodically providing software for installation to a picture archiving and communication system workstation" and "directing the web-based server to simultaneously install the software to a plurality of picture archiving and communication system workstations in communication with the web-based server; installing software to the plurality of picture archiving and communication system workstations." However Allison teaches, (Col. 5, lines 42-

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43) "...installer is provided with the name of the ...revision (software) to be installed." And (col. 4, lines 43-46) "The installer of the present invention is capable of configuring several machines and installing operating systems (software) on them, either individually or simultaneously (simultaneous install). The installer and the machines are in communication with one another over network...the Internet." Also see Allison, col. 11, lines 45-67, "...each installer contains a list of the dispatchers...Each installer will also contain a list of the test machines...The installer sends this list to the dispatchers at a periodic rate...When the installer receives a request from a dispatcher to...install...the installer will send commands...When the installer is instructed by the dispatcher to install...the installer calls the installation script...(periodically providing software for installation)."

Therefore, it would have been obvious, to one of ordinary skill in the art, at the time of the invention, to modify the networked Picture Archiving Communication System units as taught by Zur, by permitting the networked system to allow for periodic, simultaneous installations of software to the PACS workstations, as taught by Allison, because the periodic, simultaneous installation of a software application in a networked environment could be used to efficiently update a plurality of workstations while minimizing cost, human intervention, and the likelihood of errors.

Periodic, simultaneous, remote installations of software are well known in the art.

**Regarding claim 2:**

Zur teaches a networked a system for management of multiple imaging services within a networked system (Zur, Fig. 1) which could be part of a (Zur, col. 4, line 38) Picture Archiving and Communication System (PACS). The imaging facility has (Zur, col. 4, lines 53-54)

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“internet connectivity...via a network connection.” where signals are communicated between the service center (server) and the metering systems, SYS1-N, (plurality of clients). Zur teaches “establishing a network connection with a web-based server” (Fig. 1 and col. 2, line 51.)

Zur fails to teach “instructing the server to install at least one software update to the plurality of workstations.” However, Allison teaches (col. 12, lines 32-34) “...the launcher (18) installs the test software, configures the environment...and starts the test software.”)

Therefore, it would have been obvious, to one of ordinary skill in the art, at the time of the invention, to modify Zur’s invention by including the feature of software installations to a plurality of workstations, as taught by Allison, because a multiple install process could be used to efficiently update a plurality of workstations while minimizing cost, human intervention, and the likelihood of errors.

**Regarding claim 3:**

Zur teaches a networked imaging facility that uses the Internet (Zur, col. 4, lines 53-54) “internet connectivity...via a network connection.” where signals are communicated between the service center (server) and the metering systems, SYS1-N, (plurality of clients). Zur teaches “establishing a network connection with a web-based server” (Fig. 1 and col. 2, line 51.)

Zur fails to teach “logging on to a web server and authenticating a user. However, Allison teaches (col. 8, lines 8-9) “components...and the users...communicate via the Internet.” Also col. 11, lines 33-36, “...each installer contains a list of the dispatchers with which it can communicate (authentication). Each installer will also contain a list of the test machines which it is allowed to configure and/or install.”

Therefore, it would have been obvious, to one of ordinary skill in the art, at the time of the invention, to modify Zur's invention by including the feature of authentication when logging onto the server, as taught by Allison, authentication adds a degree of security to a networked system. Authentication is well known in the art.

**Regarding claim 4:**

Zur teaches a networked imaging facility that uses the Internet (Zur, col. 4, lines 53-54) "internet connectivity...via a network connection." where signals are communicated between the service center (server) and the metering systems, SYS1-N, (plurality of clients). Zur teaches "establishing a network connection with a web-based server" (Fig. 1 and col. 2, line 51.)

Zur fails to teach "sending an indication message to the remote terminal to indicate whether the software installation was successful." However, Allison teaches (col. 4, lines 12 – 15) "When the launcher program is installed, the launcher program will notify all of the dispatcher machines with which it is allowed to communicate that the test machine is on the system."

Therefore, it would have been obvious, to one of ordinary skill in the art, at the time of the invention, to modify Zur's invention by including a "successful install" message, as taught by Allison, because it adds an element of error protection to the install process. A "successful install" indication is well known in the art.

**Regarding claim 11:**

Zur teaches "a remote first terminal in communication with a web-based server via an Internet connection, said remote first terminal comprising a remote signal, said remote first terminal remotely monitoring a picture archiving and communication system workstation to

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determine said remote signal” (Fig. 1 & col. Col. 4, lines 25-26, “...image is captured and transferred...(signal is sent by remote terminal)”)

Zur teaches “a plurality of picture archiving and communication system workstations connected to said web-based server.” (Zur, fig. 1, #SYS-1-N, & col. 4, lines 37-38, “...may be part of a Picture Archiving and Communication System...”)

Zur fails to teach, “said web-based server comprising an installer for simultaneously installing software to said plurality of picture archiving and communication system workstations responsive to said remote signal.” However, Allison teaches (col. 4, lines 43-46) simultaneous installation. “...The installer of the present invention is capable of configuring sever machines and installing...simultaneously.”

Therefore, it would have been obvious, to one of ordinary skill in the art, at the time of the invention, to modify Zur’s invention by including a “simultaneous install”, as taught by Allison, because it enhances efficiency when a system includes a plurality of workstations.

**Regarding claim 12:**

Zur teaches a networked imaging facility that uses the Internet (Zur, col. 4, lines 53-54) “internet connectivity...via a network connection.” where signals are communicated between the service center (server) and the metering systems, SYS1-N, (plurality of clients).

Zur fails to teach “first workstation comprises the remote signal for instructing said web-based server to install software to said plurality of second workstations.” However, Allison teaches (col. 4, lines 43-46), “...capable of...installing...simultaneously.” And figs. 1 & 2, and col. 5, lines 25-26, “...when a request to install (signal)...is received by the installer (web-based server) ...”

Therefore, it would have been obvious, to one of ordinary skill in the art, at the time of the invention, to modify Zur's invention by including a "remote signal signaling an install to a plurality of workstations", as taught by Allison, because communications between clients and servers, which are well known in the art, allow for a synchronization of processes.

**Regarding claim 13:**

Zur teaches networked PACS apparatus.

Zur fails to teach simultaneous installation. However, Allison teaches simultaneous installation and installs operating systems (software updates) according to test requirements, "web-based server comprises an installer for simultaneously installing software updates for pre-existing software to said plurality of picture archiving and communication system workstations and an installer for simultaneously installing software updates for pre-existing software to said plurality of PACS workstations." (col. 11, lines 45 – 67) "...the installer receives a request from a dispatcher to configure or install..., the installer will send commands over the Internet...the command is received...installer and the test machine will communicate back and forth...The script then causes the OS (software) to be installed on the selected test machine..."

Therefore, it would have been obvious, to one of ordinary skill in the art, at the time of the invention, to modify Zur's invention by including a "simultaneous install", as taught by Allison, because it enhances efficiency when a system includes a plurality of workstations.

**Regarding claim 19:**

Zur disclosed, "connecting to a web-based server on a network" (Zur, col. 2, lines 50-51.)



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Zur failed to teach “instructing the web-based server to update software on a plurality of picture archiving and communication system workstations in communication with the web-based server and simultaneously updating software on the plurality of picture archiving and communication system workstations.” However Allison disclosed (Abstract, lines 18-19) “...installer receives requests to install...” and (col. 4, lines 43-46) “...installer...is capable of ...installing...simultaneously.”)

Therefore, it would have been obvious, to one of ordinary skill in the art, at the time of the invention, to modify Zur’s invention by including a “simultaneous install” to a plurality of workstations, as taught by Allison, because it enhances efficiency.

**Regarding claim 20:**

Zur teaches “logging on to the web-based server and authenticating a user.” (Col. 6, lines 45-46, “...may necessitate...password or code...”)

5. **Claims 5-8, 14-18** are rejected under 35 U.S.C. 103(a) as being unpatentable over U. S. Patent 6,178,225 to Zur et al, in view of U. S. Patent 5,307,354 to Cramer et al.

Zur teaches a system for monitoring imaging services within a networked system (Zur, fig. 1) which could be part of a (Zur, col. 4, line 38) Picture Archiving and Communication System (PACS) using a server/host connected to workstations. The imaging facility has (Zur, col. 4, lines 53-54) “internet connectivity...via a network connection.”

**Regarding claim 5:**

Zur teaches “establishing a network connection with a web-based server” (Col. 2, lines 50-51, “...communicate with the service center via an Internet communication technology...”)

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Zur teaches “directing the web-based server to retrieve data from at least one file from at least one of a plurality of picture archiving and communication system workstations in communication with the web-based server, the data including a log.” (Fig. 3 and col. 1, lines 59-61, “...the method for management of X-ray imaging...includes an archiving step wherein a generated...image is retrievably stored...”)

Zur teaches “retrieving the data from the at least one file.” (Col. 5, lines 61-62, “...images are forwarded to an archive for storage and subsequent retrieval...”)

Zur teaches, “transmitting the data to a remote terminal.” (Col. 1, lines 63-64, “...archiving step includes transferring the generated digital image to a remote archive.”)

Zur does not teach, “analyzing the data for an error indicator.” However, Cramer teaches “...an application independent remote maintenance and error correction system which may be utilized with data processing networks to automatically reset, and/or update the system software within a station in the data processing network.” (Col. 8, lines 17-22.)

Therefore, it would have been obvious, to one of ordinary skill in the art, at the time of the invention, to modify the networked Picture Archiving Communication System as taught by Zur, to include remote error detection / correction abilities, as taught by Cramer, because a networked system of critical medical information should have the ability to efficiently and in a timely manner be monitored and maintained over the Internet. Remote error detection and correction are well known in the art.

**Regarding claim 6:**

Zur teaches “extracting the at least one file for analysis at the remote terminal.” (Col. 4, lines 34-37, “After the technologist has viewed the image (file), the image may be exported from

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operating and viewing station and stored at a local archive where it is retrieved (extracting) for diagnostics.”)

**Regarding claim 7:**

Zur teaches a system for monitoring imaging services within a networked system (Zur, fig. 1) which could be part of a (Zur, col. 4, line 38) Picture Archiving and Communication System (PACS) using a server/host connected to workstations. The imaging facility has (Zur, col. 4, lines 53-54) “internet connectivity...via a network connection.”

Zur fails to teach, “extracting at least one log file.” However, Cramer disclosed “...it should be apparent that this system may be utilized to collect monitor data from a station...” Monitor information (log file) is collected to be used for error correction.

Therefore, it would have been obvious, to one of ordinary skill in the art, at the time of the invention, to modify the networked Picture Archiving Communication System as taught by Zur, to include the collection of monitor information, as taught by Cramer, because a networked system of critical medical information could make use of monitor information in the remote error correction. Remote monitoring, error detection, and correction are well known in the art.

**Regarding claim 8:**

Zur teaches “extracting at least one image file.” (Col. 4, lines 34-37, “After the technologist has viewed the image (image file), the image may be exported from operating and viewing station and stored at a local archive where it is retrieved (extracting) for diagnostics.”)

**-Regarding claim 14:**

Zur teaches “a remote first terminal in communication with a web-based server via a network connection, said remote first terminal comprising a remote signal.” (Fig. 1. & 3, col. 2, lines 47-

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55; "...metering system (first terminal, SYS-1) is operative to communicate with the service center (web-based server) via a communications network...by electronic polling (remote signal.)

Zur teaches "a plurality of picture archiving and communication system workstations connected to said web-based server." (Figs. 1 & 3, SYS1-N, col. 3, line 27, "...at least one digital X-ray imaging facility (10)." Also col. 4, lines 53-54, "...imaging facility has internet connectivity...via a network connection.")

Zur teaches "said web-based server comprising a data retriever for retrieving data from at least one of said plurality of picture archiving and communication system workstations responsive to said remote signal, said web-based server allowing remote correction of an error at at least one of said plurality of picture archiving and communication system workstations." (Col. 5, lines 61-62, "...images are forwarded to an archive for storage and subsequent retrieval..." and col. 6, lines 43-45, "service center (server) may electronically poll individual...imaging facilities to...update...statistics.")

**Regarding claim 15:**

Zur teaches a system for monitoring imaging services within a networked system (Fig. 1) which could be part of a (Col. 4, line 38) Picture Archiving and Communication System (PACS) using a server/host connected to workstations. The imaging facility has (Col. 4, lines 53-54) "internet connectivity...via a network connection."

Zur fails to teach "said web-based server comprises said data retriever for retrieving log files from at least one of said plurality of picture archiving and communication system workstations responsive to said remote signal. However, Cramer teaches, "a station may be reset remotely in response to an error message or reconfiguration message by utilizing the monitor

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application and the station may then be directed to establish communication with a server device in order to update system software.” Upon server retrieving information concerning an error message (retrieving log files), actions are taken to correct the situation.

Therefore, it would have been obvious, to one of ordinary skill in the art, at the time of the invention, to modify the networked Picture Archiving Communication System as taught by Zur, to include the retrieving data from logs (monitor data), as taught by Cramer, because a networked system of critical medical information using the retrieved monitor data is able to correct errors. Remote monitoring, error detection, and correction are well known in the art.

**Regarding claim 16:**

Zur teaches “data retriever for retrieving image files from at least one of said plurality of PACS workstations responsive to said remote signal.” (Col. 4, lines 34-37, “After the technologist has viewed the image (image file), the image may be exported from operating and viewing station and stored at a local archive where it is retrieved (extracting) for diagnostics.”)

**Regarding claim 17:**

Zur teaches, “connecting to a web-based server on a network.” (Col. 2, lines 50-51, “...communicate with the service center via an Internet communication technology...”)

Zur fails to teach “instructing the web-based server to extract log data from at least one of a plurality of picture archiving and communication system workstations in communication with the web-based server; transmitting the log data to a remote terminal for error analysis; remotely correcting an error.”

However, Cramer teaches (col. 8, lines 17-32) “remote maintenance and error correction...to automatically reset and/or update the system software...this system may be utilized to collect monitor data (log) from a station (workstation)...”

Therefore, it would have been obvious, to one of ordinary skill in the art, at the time of the invention to modify Zur’s invention to include logging error data at workstations and transmitting the information for the purpose of remote error correction because it efficiently manages a distributed system, minimizing human effort.

**Regarding claim 18:**

Zur teaches, “extracting at least one image file from at least one of the plurality of picture archiving and communication system workstations. (Col. 4, lines 34-37, “After the technologist has viewed the image (image file), the image may be exported from operating and viewing station and stored at a local archive where it is retrieved (extracting) for diagnostics.”)

6. **Claims 9 and 10** are rejected under 35 U.S.C. 103(a) as being unpatentable over U. S. Patent 6,178,225 to Zur et al, in view of U.S. Patent 5,307,354 to Cramer et al., and further in view of U. S. Patent 6,192,518 to Neal.

Zur teaches a system for monitoring imaging services within a networked system (Zur, Fig. 1) which could be part of a (Zur, col. 4, line 38) Picture Archiving and Communication System (PACS). The imaging facility has (Zur, col. 4, lines 53-54) “internet connectivity...via a network connection.” Zur does not teach log files, a limitation of the parent claim. However, Cramer taught monitor information (log files) (col. 8, line 31) and error analysis / correction (Col. 8, line 18). The combination fails to disclose directing a search of files for a predetermined message or for an error indicator.

However Neal teaches:

**Regarding claim 9:**

-directing a search of files for a predetermined message in at least one of the plurality of workstations. (Col. 5, lines 9-13, "...the invention searches for messages that contain the "MBA 2.0" tag in the subject text...")

**Regarding claim 10:**

-directing a search of files for an error indicator in at least one of the plurality of workstations. (Col. 6, lines 12-15, "If file images are required to complete the software application installation, the agent sends an e-mail message back to the source computer..." and col. 7, lines 28-38, "The test message is acknowledged by the remote computer with either success...or failure...")

Therefore, it would have been obvious, to one of ordinary skill in the art, at the time of the invention, to modify the networked Picture Archiving Communication System as taught by Zur, to include remote error detection / correction and monitor information as taught by Cramer, and further modify by including Neal's invention to include a step to direct a search of files for a predetermined message or search files for an error indicator, because controlling software installation over a network (Neal, col. 1, lines 20-37), using search strings, or looking for error indicators reduces downtime for remote units and increases productivity while allowing for simultaneous software updates.

***Response to Arguments***

**(A) The Applicant has argued, in substance, the following:**

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As noted in Amendment C, page 9, line 7, Zur does not teach or suggest remote maintenance but rather mentions on-site maintenance. Zur does not teach or suggest remotely installing or updating software.

**Examiner's Response:**

The Zur reference is used to provide a networked (Internet), client / server, environment with a PACS software system. And in that Zur does at least provide an alternative means for polling clients (remote) to periodically update (col. 6, lines 43-49), "...the service center may electronically poll individual digital X-ray imaging facilities to periodically update..."

**(B) The Applicant has argued, in substance, the following:**

As noted in Amendment C, page 9, line 14, Allison does not relate to PACS systems. Allison does not teach (Amendment C, page 10, line 3) or suggest a web based server including an installer for simultaneously installing software to a plurality of picture archiving and communication system workstations responsive to the remote signal. Allison does not teach (Amendment C, page 10, line 6) or suggest a remote first terminal that remotely monitors a picture archiving and communication system workstation to determine a remote signal. Allison does not teach (Amendment C, page 10, line 12) or suggest updating software.

**Examiner's Response:**

Note that Examiner has not relied upon Allison for such teachings of PACS systems, but rather only relied upon Allison's teachings of "periodically providing...installing...updating..." over a network, i.e. Internet. The Allison reference discloses a simultaneous software installation



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procedure over a network. See Col. 2, lines 34-45, "...automatically installing ...a computer program (server) connects to the console of the computer to be installed via the serial port...the computer program sends commands ...to initiate the installation process...The apparatus of the present invention which accomplishes the installation process is referred to hereinafter as the installer." And col. 2, lines 65-66 "The automated testing system is capable of being distributed over a network...(i.e. A web-based server.)" An installation can be an update. Additionally, Zur discloses updates at col. 6, lines 40 and 46. Zur teaches monitoring (col. 2, lines 53-54) "the metering system communicates with the service center by electronic polling."

**(C) The Applicant has argued, in substance, the following:**

As noted in Amendment C, page 11, line 7, neither Zur nor Allison teaches or suggests installing or updating software on PACS workstations. Neither Zur nor Allison teaches or suggests periodically providing software for installation to a PACS workstation. Zur and Allison do not teach or suggest the use of a web-based server.

**Examiner's Response**

Again, as noted above, Zur discloses a PACS system and mentions updating at col. 6, lines 40 and 46. Allison teaches installing software to remote computers periodically, on request. Zur, Figure 1 shows a "web-based" server (#16, service center) and workstations (#14), using a network connection over the Internet.

**(D) The Applicant has argued, in substance, the following:**

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As noted in Amendment C, page 12, line 10, Zur does not teach or suggest remote correction of errors.

**Examiner's Response**

Note that Examiner has not relied upon Zur for such teachings of "remote correction", but rather relied on Zur's teachings of a networked PACS system that uses polling for updating. The Cramer reference is used to teach remote correction of errors.

**(E) The Applicant has argued, in substance, the following:**

As noted in Amendment C, page 12, line 17, neither Zur nor Neal teaches the use of log files / analyzing log data for an error indicator.

**Examiner's Response**

The Cramer reference disclosed, "monitor data" at col. 8, line 31.

**(F) The Applicant has argued, in substance, the following:**

As noted in Amendment C, page 12, line 4, the Debbins reference, US. Patent 6,331,776 is commonly owned and does not qualify as prior art.

**Examiner's Response**

Examiner has replaced the Debbins reference with the Cramer reference. The Cramer reference has been used to reject these limitations. Remote error detection and correction are well known in the art.

7. Applicant's arguments filed in Amendment C, 09/23/2003, have been fully considered but they are not persuasive. Thus, Examiner retains the rejections of claims 1-20 as noted above.

***Conclusion***

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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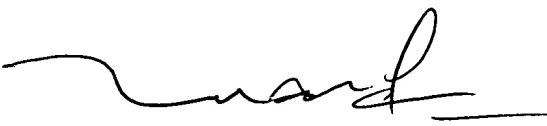
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mary Steelman, whose telephone number is (703) 305-4564. The examiner can normally be reached Monday through Thursday, from 7:00 A.M. to 5:30 P.M. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Dam can be reached on (703) 305-4552.

The fax phone numbers are (703) 872-9306 for regular communications and for After Final communications. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Mary Steelman



11/06/2003



**TUAN DAM**  
**SUPERVISORY PATENT EXAMINER**